



STATE HEALTH PLANNING AND DEVELOPMENT AGENCY

LINDA LINGLE
GOVERNOR OF HAWAII

CHIYOME L. FUKINO, M.D.
DIRECTOR OF HEALTH

DAVID T. SAKAMOTO, M.D., M.B.A.
ADMINISTRATOR

1177 Alakea St. #402, Honolulu, HI 96813 Phone: 587-0788 Fax: 587-0783 www.shpda.org

March 2, 2007

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Mark Caputo
Chief Executive Officer
Liberty Dialysis - Hawaii, LLC
3820 East Mercer Way
Mercer Island, WA 98040

Dear Mr. Caputo:

The State Health Planning and Development Agency has evaluated Liberty Dialysis - Hawaii, LLC's Certificate of Need application #07-01A for the addition of 26 hemodialysis stations at 91-2137 Fort Weaver Road, Ewa Beach, Hawaii, at a capital cost of \$2,300,000.

Pursuant to Title 11, Chapter 186 of the Hawaii Administrative Rules (HAR), the Agency has determined that:

- (a) The proposal is eligible for administrative review as it meets the criterion in Section 11-186-99.1(b)(6), i.e.: "any proposal which is determined by the agency not to have a significant impact on the health care system."
- (b) The applicant, Liberty Dialysis - Hawaii, LLC, has proven by a preponderance of the evidence that its proposal meets the Certificate of Need criteria in Section 11-186-15, HAR.
- (c) There is no compelling public interest which will be served by requiring the application to go through the standard review process.

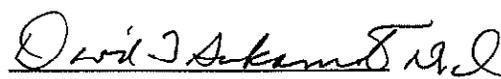
As required under Section 323D-43(b), Hawai'i Revised Statutes (HRS), the Agency finds that:

1. There is a public need for this proposal.
2. The cost of this proposal will not be unreasonable in light of the benefits it will provide and its impact on health care costs.

Accordingly, the State Health Planning and Development Agency hereby APPROVES and ISSUES a Certificate of Need to Liberty Dialysis - Hawaii, LLC for the proposal described in Certificate of Need application #07-01A. The maximum capital expenditure allowed under this approval is \$2,300,000.

#07-01A, Administrative Review Decision
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Please be advised that pursuant to Section 323D-47, HRS and Section 11-186-99.1(g) HAR, any person may, for good cause shown, request in writing a public hearing for reconsideration of the Agency's decision within ten working days from the date of this decision. Accordingly, if no person makes such a timely request for reconsideration, this decision shall become final immediately after the deadline for making such a request has expired.

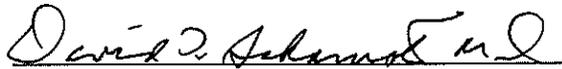

David T. Sakamoto, M.D.
Administrator

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the attached Administrative Review Decision was duly served upon the applicant by sending it by certified mail, return receipt requested, in the United States Postal Service addressed as follows on March 2, 2007.

Mark Caputo
Chief Executive Officer
Liberty Dialysis - Hawaii, LLC
3820 East Mercer Way
Mercer Island, WA 98040

HAWAII STATE HEALTH PLANNING
AND DEVELOPMENT AGENCY



David T. Sakamoto, M.D.
Administrator